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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

INVENTOR: Robert R. Gagne, et al.) EXAMINER: Joseph A. Fischetti
SERIAL NO.: 09/870,923) ART UNIT: 3627
FILING DATE: May 31, 2001) DATE: February 24, 2004
FOR: SYSTEM AND METHOD FOR SHIPPING MATERIAL

3627
3/3/04
3/Election

RESPONSE TO RESTRICTION REQUIREMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Responsive to the Office Action dated February 10, 2004, applicants provisionally elect claims 10-28 of Group II, with traverse.

It is believed, however, that a search of the subject matter of the claims of Group II would necessarily require search of the subject matter of Groups I, III, IV, VII and VIII, and vice-versa.¹ There is a disclosed relationship between the invention claimed by Group II in that the elected method drawn to data identification for shipping is a method of shipping, which is precisely the invention delineated in Group I, claims 1-9 and the groups represented by claims 29-32. Consequently, the method defined in the claims of Group II is not independent and distinct in accordance with 35 U.S.C. § 121.

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GROUP 360

¹ Applicants respectfully note that the Examiner has identified six groups, not eight. The Group Numbers in the above-referenced office action were not numbered consecutively in Roman Numerals, to wit, Group Nos. V and VI were omitted.

Accordingly, applicants request reconsideration of the restriction requirement.

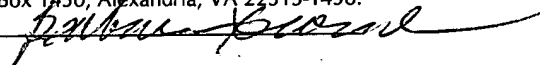
Respectfully submitted,



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CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service on the date indicated below as first class mail in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.
Name: Barbara Browne Date: February 24, 2004 Signature: 
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